Practitioner's Docket No.: 791\_236

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Nobuhiko MORI, Toshihiro TOMITA and Hitoshi SAKAI

Ser. No.: 10/797,833

Group Art Unit: 1774

Filed: March 10, 2004

Examiner: Lawrence Ferguson

Confirmation No.: 5650

For:

LAMINATED ZEOLITE COMPOSITE AND METHOD FOR PRODUCTION

**THEREOF** 

M.S. Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 CERTIFICATE OF EFS TRANSMISSION

I hereby certify that this paper is being transmitted via EFS to at the U.S. Patent & Trademark Office on *December 21*, 2006.

Tara L Preston

## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Sir:

Your petitioner, NGK Insulators, Ltd., residing at 2-56, Suda-cho, Mizuho-ku Nagoya-City, Aichi-Prefecture 467-8530, Japan, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Ser. No. 10/797,833, filed March 10, 2004.

Except as provided below, petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No. 6,936,560, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,936,560, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assign.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner

terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned has reviewed the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the petitioner identified above.

The undersigned is an attorney of record.

## **FEE STATUS** (37 C.F.R. § 1.20(d))

[ <b>X</b> ]	Other than a small entity Small entity	\$130.00 \$ 65.00
FEE PAYMENT		
[x] [x]	Attached is a check in the sum of \$ .  Charge Deposit Account the sum of \$ and for any fee deficiency that may be due. A duplicate of this disclaimer is attached. The Total Fees Due were paid via EFS on Form PTO 875.  Charge Account 50-1446 for any fee deficiency.	
De	cember 21, 2006 Date	Respectfully submitted,  Stephen P. Burn Attorney for Applicants Reg. No. 32,970
		Nicole J. Buckner Attorney for Applicants Reg. No. 51,508

Customer No.: 025191

Telephone: (315) 233-8300

Facsimile: (315) 233-8320

SPB/NB/gmh

BURR & BROWN P.O. Box 7068 Syracuse, NY 13261-7068